

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Dominic Ali, Petitioner

v.

Warden, Northern New Hampshire
Correctional Facility,
Respondent

Docket No.: 1:12-cv-00185-JL

**RESPONDENT'S REPLY TO THE PETITIONER'S
JUNE 24, 2013 MOTION AND JULY 10, 2013 ADDENDUM**

By motion dated June 24, 2013, and docketed by this Court on June 27, 2013, the petitioner in this case seeks summary judgment. The petitioner's ground is baseless. He claims that the respondent has had 365 days to answer his petition, Doc. 30: 4, which is simply untrue. The petitioner may have filed his petition last year, but the respondent was not served with this Court's report and recommendation until May 20, 2013. Doc. 24. It is that order and this Court's rules that set the deadlines for the response to the petition.

In his most recent pleading, the petitioner has stated that Justice Gillian Abramson did not preside over his trial or sentencing. Doc. 33: 1. The respondent filed the trial transcripts conventionally with this Court. The transcripts reflect that Justice Abramson presided at trial. However, in the petitioner's notice of appeal to the New Hampshire Supreme Court, counsel listed Justice Barry as the presiding justice. *See* Exh. A: 5 (conventionally filed with this Court).

At this juncture, the respondent has no reason to believe that the mistake on the transcript of the presiding justice's name, if, indeed, it is a mistake, has any bearing on the issues raised in this petition. Further, to the extent it may have had bearing, it is the respondent's contention that by failing to object to the mistake, the petitioner has waived any claim associated with it.

Respectfully Submitted,

Warden, Northern New Hampshire
Correctional Facility, Respondent.

By his attorneys,

Joseph A. Foster
Attorney General

/s/ Elizabeth C. Woodcock

Elizabeth C. Woodcock

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July 11, 2013

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have served the petitioner, who is pro
se, at the following address:

Dominic S. Ali, #81829, Northern New Hampshire Correctional Facility, 138 East
Milan Road, Berlin, NH 03570

/s/ Elizabeth C. Woodcock
Elizabeth C. Woodcock